<u>**REMARKS**</u>

Claims 1-40 are currently pending in the subject application and are presently under consideration. Claims 1, 6, 7, 10, 16, 17, 18, 21, 24, 29, 33, 35, 37, 38, 40 have been amended as shown at pages 2-10 of the Reply. The Office Action identifies claims 36 and 39 as reciting allowable subject matter. Such allowable features have been incorporated into respective base claims to place all claims in condition for allowance. Accordingly, these amendments do not raise new issues requiring further search or undue consideration but rather place the claims in condition for allowance, or better position for appeal - entry of these amendments is respectfully requested.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   **Objection of Claims 24 and 40**

Claims 24 and 40 are objected to because of the following informalities: The Examiner takes the position that it is not clear whether the parenthetical elements are part of the claimed invention or not. The Examiner requests if parenthetical element is part of the claimed invention, that the parenthesis be removed.

It is respectfully requested that the Objection of Claims 24 and 40 be withdrawn for at least the following reason. Claims 24 and 40 have been amended to correct the informalities indicated by the Examiner. Accordingly, it is requested that this objection be withdrawn and claims 24 and 40 be allowed.

II.   **Rejection of Claim 1 Under 35 U.S.C §112**

Claim 1 stands rejected under 35 U.S.C §112, first paragraph, as based on a disclosure which is not enabling.

Applicants' Representative respectfully disagrees with the Examiner's assertion that "Software objects that render data" are critical to practice the claimed invention, but not included in the claims or enabled by the disclosure. In particular, the Specification provides details regarding the formulation of software objects. Software objects within the Human Machine Interface represent physical devices that were historically manipulated, such as physical devices that were associated with mechanisms to facilitate operation (including push buttons, sliders,

dials, gauges). The Specification explains a software object is an object representing the physical device can likewise include graphical representations of such mechanisms, wherein manipulation of the mechanisms in software can effectuate manipulation of the physical mechanisms. (*See* Specification, pg 4, ll 14-16). Furthermore, the Specification provides formulas to calculate software objects or convert them between two and three-dimensional objects. (*See* Specification, pg 14-15).

However, for the purpose of expediting prosecution, independent claim 1 has been amended to recite *a processing component that renders data based at least in part on the properties, limitations, software plug-ins of the device, or any combination thereof.* Therefore, the element of "software objects" has been removed from the claim language and it is respectfully submitted that the Rejection of Independent Claim 1 under 35 U.S.C §112 be withdrawn.

III.   Rejection of Claims 18-23, 33-35, 37 and 38 Under 35 U.S.C. §103(a)

Claims 18-23, 33-35, 37 and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wolff *et al.* (U.S. Patent No. 2003/0120714). Withdrawal of the rejection is requested for at least the following reasons. Allowable subject matter has been incorporated into the aforementioned claims, and Wolff *et al.* does not expressly or inherently describe each and every aspect set forth in the subject claims.

> [T]he prior art reference (or references when combined) must teach or suggest all the claim limitations. *See* MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *See In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant's claimed subject matter relates to industrial control systems, and more particularly to the communication and display of data in a graphical format that can facilitate the control and graphical representation of equipment obtained from a plurality of devices. Furthermore, the claimed invention renders data from Human Machine Interfaces (HMIs) for a plurality of disparate platforms to make efficient use of hardware and software capabilities of the devices. The claimed invention also offers the ability to map data path information to process

points on a physical device that allows the user to make changes to the process point related to each physical device.

To this end, independent claim 1 (and similarly independent claims 18, 33, 35, 37, and 38) has been amended to incorporate the subject matter of allowable claim 36. Thus, independent claim 1 and has been amended to recite *a communications component that maps data path information to data delivered to one of the devices to enable communication between the data and the HMI*. For example, if properly formatted data is locate at the HMI generator, and data representing a process point, the path to the process point location can change after the data has been transferred to the device. Therefore, the claimed invention provides the advantage of enabling changes to a data path to be tracked, mitigating loss of data connectivity. (*See* pg. 10, ll. 1-15). Wolff *et al.* fails to disclose or suggest at least these novel aspects.

Wolff *et al.* relates to machine vision systems, and more particularly, to human machine interfaces (HMIs) for training, controlling, and monitoring machine vision system sensors and methods for installing and configuring such interfaces. The cited reference discloses receipt of data in a desired portable device compatible format (*See* paragraph 17, ll. 16-18) and utilizing an image compression technique to enhance the detail of an image to an appropriate gray or contrast level (*See* paragraph 52, ll. 22-30). However, Wolff *et al.* does not disclose *a communications component that maps data path information to data delivered to one of the devices to enable communication between the data and the HMI*. In view of the foregoing, it is readily apparent that Wolff *et al.* does not disclose or suggest all claimed aspects, and therefore it is respectfully submitted that this rejection should be withdrawn and the subject claims allowed. Since the amendments incorporate allowable subject matter, no further search or consideration should be required.

IV.   Rejection of Claims 29-32 Under 35 U.S.C. §103(a)

Claims 29-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wolff *et al.* (U.S. Patent No. 2003/0120714) in view of Shteyn (U.S. Patent No. 6,199,136). It is respectfully submitted that the rejection be withdrawn for at least the following reasons. Allowable subject matter has been incorporated into the aforementioned claims, and in particular, Shteyn does not make up for the aforementioned deficiencies of Wolff *et al.*

To this end, independent claim 29 has been amended to incorporate the subject matter of allowable claim 36. Thus, independent claim 29 recites *a communications component that maps data path information to the formatted data to enable communication between the formatted data for the physical device and the HMI.* Thus, the claimed invention provides a component that enables changes to a data path to be tracked, providing the advantage of mitigating loss of data connectivity. (*See* pg. 10, ll. 1-15).

Shteyn relates to a home automation system for controlling audio/video equipment in a home entertainment system. The cited reference discloses controlling devices through "abstract representations," having message sets for each class of device, modeling home devices as OLE Automation objects, and a data-driven interaction controller that renders a GUI interface on an appliances display, where the displays can vary from graphical to text-only. However, unlike the claimed invention, Shteyn is silent with regard to *a communications component that maps data path information to the formatted data to enable communication between the formatted data for the physical device and the HMI*, and thus fails to provide the advantage of enabling changes to a data path to be tracked, mitigating loss of data connectivity.

In view of the foregoing, it is clear that Shteyn fails to make up for the aforementioned deficiencies of Wolff *et al.* with respect to independent claim 29 (from which claims 30-32 depend). In view of the foregoing, it is respectfully requested that the rejection be withdrawn and the subject claims allowed. Furthermore, the amendments have incorporated allowable subject matter, so no further search or consideration is necessary.

<u>CONCLUSION</u>

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [ALBRP314US]

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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